

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

T.L. TOWNSEND BUILDERS, LLC, et al.,)
Plaintiff(s),)
v.)
NEVADA STATE CONTRACTORS)
BOARD, et al.,)
Defendant(s).)
Case No. 2:17-cv-02507-JAD-NJK
ORDER
(Docket No. 6)

Pending before the Court is Plaintiffs' motion to "stay" enforcement of the decision of the Nevada State Contractors Board. Docket No. 6. The motion is premised on the power of this Court to "control disposition of the cases on its docket." *Id.* at 3 (emphasis added). Plaintiffs fail to explain how the legal authority cited permits this Court to "stay" further action by a state entity, and the motion to stay is therefore **DENIED**.¹

It appears Plaintiffs are actually seeking a preliminary injunction to enjoin the Nevada State Contractors Board from enforcing its decision. *See* Law Dictionary (7th ed.) (defining “injunction” as

¹ The motion is also improper because it neither includes a proof of service establishing that notice of the motion was given to Nevada State Contractors Board, *see* Local Rule 5-1, nor provides a basis on which the Court could conclude that it would be proper to decide the motion on an *ex parte* basis without providing notice, *see Maxson v. Mosaic Sales Solutions US Operating Co.*, 2015 WL 4661981, at *1-2 (D. Nev. July 29, 2015); *see also* Fed. R. Civ. P. 65(a)(1) (preliminary injunctions may be issued “only on notice to the adverse party”); Fed. R. Civ. P. 65(b)(1) (temporary restraining orders may be issued without notice only upon particular showing by the movant).

1 “[a] court order commanding or preventing an action”). This order is without prejudice to Plaintiffs
2 filing a motion for preliminary injunction that addresses the applicable standards.

3 IT IS SO ORDERED.

4 DATED: October 6, 2017

5 
6 Nancy J. Koppe
United States Magistrate Judge